FracTracker Alliance

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Texas Continued Data Center Permitting after the Governor's Pause

FracTracker review of TCEQ records finds the agency kept moving data center projects forward after Gov. Abbott ordered a halt

AUSTIN, TX— On September 21, 2026, Governor Abbott directed the Texas Commission on Environmental Quality (TCEQ) "to halt all permits sought by data centers." However, working closely with Public Citizen, FracTracker reviewed TCEQ's records and found that the agency continued moving data center projects forward: mailing public notices for major-source air permit applications, advancing applications through review, issuing air emission-limit certifications, and approving construction stormwater coverage. On October 14, TCEQ told FracTracker that applications "will not advance through the review process." A review of the agency's own records found something else.

Through October 16, the review found three preliminary-decision notices that TCEQ mailed after the Governor's order, eleven construction stormwater approvals, seven emission-limit certifications, and 14 applications for gas plants and generators that continued through review. TCEQ's compliance update to the Governor is due today, October 19. This compliance update should be made available to the public, and TCEQ should extend or reopen the affected comment periods so people have a full opportunity to comment after the pause ends.

"Our research uncovered glaring inconsistencies between regulatory actions and Governor Abbott's directives and shows how these half measures are not protecting Texans from the speed and size of data center development. TCEQ's own statements reflect the difficulty regulators are having with this industry, more evidence that we need an actual pause to study the threats posed to the land, water and livelihoods of Texans," said Sam Law, Manager of Communications at FracTracker Alliance and author of the report.

Read the report

FracTracker Alliance is a nonprofit that maps, analyzes, and communicates the risks of oil, gas, and petrochemical development. To learn more, visit fractracker.org.

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